craigslist Inc v. McMaster et al Doc. 8

RECEIVED
USDC, CLERK, CHARLESTON, SC
2009 MAY 22 P 12: 05

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF SOUTH CAROLINA

CHARLESTON DIVISION

craigslist, Inc.,

Plaintiff,

v.

HENRY D. McMASTER, in his official capacity as ATTORNEY GENERAL OF THE STATE OF SOUTH CAROLINA; DAVID PASCOE; BARBARA R. MORGAN; C. KELLY JACKSON; JAY E. HODGE, JR.; W. BARNEY GIESE; DOUGLAS A. BARFIELD, JR.; TREY GOWDY, III; JERRY W. PEACE; SCARLETT WILSON; CHRISTINA T. ADAMS; DONALD V. MYERS; EDGAR L. CLEMENTS, III; ROBERT M. ARIAIL; I. MCDUFFIE STONE, III; GREGORY HEMBREE; AND KEVIN S. BRACKETT, in their official capacities as SOUTH CAROLINA CIRCUIT SOLICITORS,

Defendants.

Civil Action No. 2:09-1308-CWH

CONSENT ORDER

THIS MATTER came before the Court for hearing on Plaintiff craigslist, Inc.'s ("craigslist") motion for a temporary restraining order and preliminary injunction against Defendant Henry D. McMaster, in his official capacity as Attorney General of the State of South Carolina; and the other Defendants, in their official capacities as South Carolina Circuit Solicitors (collectively "Defendants"); and their attorneys and staffs.

By agreement of the parties, IT IS HEREBY ORDERED:

#1
CCH.

Dockets.Justia.com

1. Until the Court rules on the merits of craigslist's claims, Defendants and their attorneys and staffs shall refrain from initiating or pursuing any prosecution against craigslist or its officers and employees in relation to content posted by third parties on craigslist's website.

~~2. The parties respectfully propose the following schedule. Defendants shall respond to craigslist's pending motion on or before July 10, 2009. craigslist shall reply on or before August 10, 2009. Any party may file a Motion for Summary Judgment by July 10, 2009, with a response due by August 10, 2009. Pursuant to Federal Rule of Civil Procedure Rule 65(a)(2), the Court shall conduct a hearing on the merits of craigslist's claims and any motion for summary judgment as soon thereafter as the Court deems appropriate.~~

3. None of the parties waives claims or defenses in the above entitled action.

DATED this 22 day of May, 2009.

United States District Judge

CONSENT:

/s/ Joseph P. Griffith, Jr.

Joseph P. Griffith, Jr. (Fed. ID No. 2473)
Joe Griffith Law Firm, LLC
Seven State Street
Charleston, S.C. 29401
843.225.5563 (tel)
843.722.6254 (fax)
joegriffithjr@hotmail.com

Counsel for Plaintiff craigslist, Inc.

CONSENT:

/s/ J. Emory Smith, Jr.

J. EMORY SMITH, JR.
Assistant Deputy Attorney General
Federal I.D. No. 3908
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3680 (tel)
Agesmith@scag.gov

Counsel for the Defendants

#2